IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1175 OF 2006
IN
CRIMINAL APPEAL NO.413 OF 2006

Davendra Manohar Maru .. Applicant.
Vs.
The State of Maharashtra .. Respondent.

Mr.M.B.Shirsat for the applicant.
Mr.A.R.Patil APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 15TH JANUARY, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this application the applicant has prayed for relaxation of the condition of payment of fine that was imposed while convicting the applicant under sections 465 and 466 read with 120-B of the Indian Penal Code. The applicant was released on bail in the sum of Rs.10,000/- with one or two sureties of the like amount and was directed to deposit the amount of fine within six weeks from the date of his release. The applicant has stated in the application that his mother is sufferring from Cancer and he is not in position to deposit the fine. The applicant has already undergone about five years imprisonment out of

sentence of seven years. The State has filed an affidavit and has confirmed the statement made by the applicant in the application regarding illness of his mother. Mr.Patil, learned A.P.P. has not opposed the prayer and left it to the court. Considering the overall facts and circumstances of the court I am inclined to relax the condition of payment of fine subject to final decision in the appeal. The application, accordingly, stands disposed of.

(D.B.Bhosale, J.)